

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

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FILE: B-214311**DATE:** March 6, 1984**MATTER OF:** Copy-Line Corporation, Field Engineering
Division**DIGEST:**

1. A Federal Supply Schedule contractor may offer a price reduction to the government at any time and by any method without prior acceptance by the General Services Administration (GSA), and under the contract's terms the price reduction generally will remain in effect for the remainder of the contract. Whether the contractor notifies GSA of the price reduction so that GSA can revise the Schedule prices is a matter for GSA to resolve in administering the contract.
2. Accuracy of a firm's representation that it is a small business is irrelevant to the firm's eligibility for the receipt of a purchase order under an existing Federal Supply Schedule contract.

Copy-Line Corporation, Field Engineering Division protests the Marine Corps' award of a contract to Savin Corporation to provide quarterly servicing of government-owned Savin copying equipment at the Marine Corps Recruit Depot, San Diego, California. Savin obtained the contract based on its having offered the lowest total price in response to a request for quotations to provide the services under an existing multiple-award Federal Supply Schedule. The protester complains that Savin offered unit prices which were lower than the prices listed in Savin's schedule contract, No. GS00S-63479, and also alleges that Savin has not made the same prices available to other schedule customers. We summarily deny the protest.

The Federal Supply Schedule lists contracts between the General Services Administration (GSA) and suppliers of commercially available items commonly used by the

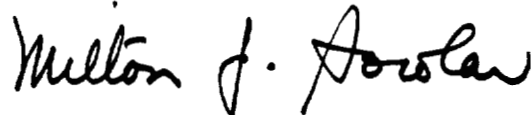
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government, under which federal agencies may acquire the items at the prices contained in the contracts. 41 C.F.R. § 101-26.402-1(a) (1983). The contracts generally include a clause basically stipulating that if a contractor sells the items either commercially or to a federal agency at a reduced price, then an equivalent price reduction shall apply to the schedule contract for the remainder of its duration. 41 C.F.R. § 101-26.408-5. Under the clause, a contractor may offer a price reduction at any time and by any method without prior or subsequent approval by GSA. See A.B. Dick Company, B-211981, February 1, 1984, 84-1 CPD _____; Dictaphone Corporation, B-193716, March 23, 1979, 79-1 CPD 200. Thus, the Marine Corps' acceptance of the benefit of Savin's lowered prices was proper.

Concerning the protester's allegation that Savin has not made the price reduction available to other schedule users, we point out that whether Savin has notified GSA of the price reduction, so that GSA can revise the prices listed in the schedule, raises a matter for GSA to resolve in the administration of the schedule contract and does not affect the validity of the Marine Corps acquisition. AM International, Inc., AM Micrographics Division, B-203497, August 24, 1981, 81-2 CPD 170; Sony Industries, B-197300, June 4, 1980, 80-1 CPD 382.

The protester also comments that Savin checked a box on the request for quotations representing that Savin is a small business concern, which the protester alleges to be untrue. Savin's size status, however, is irrelevant once a contractor is on the Federal Supply Schedule, its size has nothing to do with its eligibility to receive a purchase order under the schedule. In any event, this Office does not review protests of the size status of potential contractors since the Small Business Administration has statutory authority to make conclusive determinations in these matters. See Hyde Security Services, Inc., B-213077, September 30, 1983, 83-2 CPD 399.

The protest is summarily denied.

for 
Comptroller General
of the United States